

Staff Variance Report  
For  
February 5, 2013 Commission Meeting

“A” category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.

“B” category = staff recommendation is for approval with equal alternatives as stated by the proponent.

“C” category = reserved, meaning staff believes Commission needs to discuss entirety.

“D” category = recommendation is for denial.

“T” category = incomplete (with permission of the Chairman).

“NVR” category = no variance required.

NOTE: All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.

**Tabled Variances:**

- 12-10-10(d)      **Lilly Building K312-314 – Indianapolis**  
B      (d) The standby generator that is required by code for the ventilation system for the H-4 occupancy area in Building K312 is not provided. The proponent advises that K312 is a 1 story building of Type VB construction and is classified primarily as F-1 and B occupancy uses and also has a small area of H-4 occupancy. The ventilation system is connected to a redundant electrical supply consisting of separate connections to a double ended substation and this method is recognized with the approval of the authority having jurisdiction in the electrical code for legally required standby systems. The hardship is the cost to install and maintain a generator on the existing site. **Tabled at the request of the proponent. Tabled at the request of the proponent till the December meeting. Tabled at the request of the proponent till the January meeting. Tabled at the request of the proponent until the February meeting.**
- 12-11-14      C      **Soar Sprinklers – South Bend**  
Tabled to have application redone (typed to make legible) and no proponent. Tabled so the proponent can have a Chapter 34 evaluation done, given 60 days to come back, February meeting. **Was tabled to comply with the Commissions recommendations at the December meeting.**
- 12-11-21      NVR      **Care Animal Hospital**  
*The fire code prohibits the use of extension cords in lieu of permanent wiring.* The request is to allow the use of extension cords through the ceiling over the operating tables and in the area of the cages. What is the cost to install permanent wiring? Are there operational problems created by permanent wiring? **Tabled so proponent can submit letter from electrician with proposed solution acceptable to the Commission. Tabled to confirm that proposed, accepted solution has been implemented. Tabled still waiting on documentation from the proponent.**

- 12-12-9 C **New Beginnings Church – New Albany**  
**Tabled no proponent and incomplete. Tabled no proponent.**  
*The existing machine room door is 52 ½" high and this is the only good position for room and the room only has a 63" head room height, which does not comply with code, which calls for a height of 73".* The proponent advises that they will place padding on all extrusions. The hardship is to achieve the required 73" head room for a Lula Lift in the machine room would be impossible because of the steel structure of the building preventing the alteration for the headroom. The maximum obtainable height is 63" of headroom. Defer to Commissioner Corey.
- 13-01-32 C **Columbus Community Church – Kitchen Renovation – Columbus Project #356803**  
The code required platform and guardrails where the roof slope exceeds a 3:12 slope will not be provided for the access to the kitchen exhaust fan installed on the 4:12 slope roof above the kitchen. The proponent advises that the fan is installed in close proximity to the roof edge and the roof is easily accessed by a short ladder. The fan is a sealed motor and requires minimal maintenance. The hardship is the cost and logistics of constructing a platform on the existing roof. What is the cost? **Tabled at the request of the proponent to allow info about use of lift and cost.**
- 13-01-36(b) C **Lafayette Family YMCA – Lafayette**  
(b) *Remote exterior exits on the back of the building will not be provided with a sidewalk to the public way as required by code.* The exit discharge, "walking surface of the means of egress shall have a slip resistant surface and be securely attached", this is interpreted to require a concrete sidewalk to the public way. The proponent advises that the code does not stipulate that the exit discharge be a paved surface and that a yard can be classified as a component of the exit discharge for a building. The hardship is the cost of installing sidewalks on the back of the building, which is estimated at approximately \$40,000.00. If the exit path away from the building is just mud or grass, how do wheelchairs get through it? **Tabled at the request of the proponent.**
- 13-01-41 C **Oakwood Health Campus Villas – Tell City** Project #361694  
*The code required sprinkler system will not be provided in the "R" occupancy.* The proponent advises that they will provide 4 hour fire walls to separate the quadplex into two duplex apartments provide fire/smoke alarm system in each unit of each building and provide 1 hour fire barriers between each unit on each side of the 4 hour fire wall. The hardship is the cost to provide NFPA 13R sprinklers in each building would be approximately \$11,500.00 (for the 4 buildings totaling \$46,000.00). The water lines have already been installed to each building and the sprinkler system would entail new sprinkler mains to be installed and an added riser room to the 4 buildings totaling \$78,000.00 for a total of \$124,000.00 to install the sprinklers in the 4 buildings. What's the total cost of the project? **Tabled to have proponent to bring info about the costs of 4 hour walls vs. a NFPA 13D system.**
- 13-01-44 C **Mann Village – Rebuild – Indianapolis** Project #360679  
The 12 unit apartment building was damaged by fire requiring eight of the units to be rebuilt on the same foundation and the code required sprinkler system will not be

provided for the building. The building is one of 15 on the site that was not required to be sprinklered when constructed. The hardship is the building was not equipped with a sprinkler system prior to the fire; there is not space for a riser room or any of the other necessary equipment in the existing footprint. Providing sprinklers in this building would only represent a small portion of the units on the site. What is the cost to comply? How many other fires have been in this complex since the original construction? **Tabled at the request of the local fire official with agreement of proponent.**

**New Variances:**

13-02-1

C

**Indiana Galvanizing Inc. – Middlebury**

*The current sprinkler system will be deactivated due to the change of uses of the building.* The current building has a sprinkler system from when it was being used as a manufacturing plant for mobile homes and it is being converted over to a zinc plating operation and the sprinkler system will cause a danger due to the high temperatures of the hot dip galvanizing process. The occupancy of the structure for the manufacturing of mobile homes would have been an F-1 and the new use would be an F-2. The proponent advises that the building is steel construction and the wet sprinkler system would create a hazardous situation due to the high temperatures of the molten zinc. No combustible materials are introduced into the structure. There is no mention of the removal of the sprinkler system or what they want to do with the current system that is in place.

13-02-2(a)(b)

**Indiana University School of Optometry 2<sup>nd</sup> and 3<sup>rd</sup> Floor Renovations – Bloomington**

AI

(a) *The code required rated corridors in the new and existing parts of the structure will not be rated and the building is not fully sprinklered.* The proponent advises that the building is Type II-A construction with one hour rated floors providing a fire separation between the floors. The building is mostly sprinklered. The 2<sup>nd</sup> and 3<sup>rd</sup> floors will be fully sprinklered as part of this renovation. The hardship is the cost to provide fire rated corridor construction and sprinkler protection for each floor would be excessive, based on when the corridors are fully sprinklered the fire rating would not be required. There are no time frames given of the construction and the addition of the sprinkler system.

AI

(b) *There will be dead end corridors on the 2<sup>nd</sup> and 3<sup>rd</sup> floors which are not fully sprinklered there will be a 27' dead end on the 3<sup>rd</sup> floor and a 44' dead end on the 2<sup>nd</sup> floor the code limits dead ends to 20' in nonsprinklered buildings.* The code allows a 50' dead end in fully sprinklered buildings. The proponent advises that the building is Type II-A construction with one hour rated floors providing a fire separation between the floors. The building is mostly sprinklered. The 2<sup>nd</sup> and 3<sup>rd</sup> floors will be fully sprinklered as part of this renovation. The hardship is that the layout provided meets the needs of the facility and the additional length of the dead end corridors of fully sprinklered buildings. There are no time frames given of the construction and the addition of the sprinkler system.

13-02-3

A

**111 W. 4<sup>th</sup> Street – Bloomington – Windows**

*The replacement windows installed into the structure did not meet the code requirements of the code of record for size.* The structure was built in 1920 and the windows were

replaced in 1996 when there were apartments added. The 1992 code requires that the windows be openable to a minimum of 5.7 sq. ft., have a minimum opening height of 24", an opening width of 20" and a maximum sill height of 44". The current windows are openable to 3.44 sq. ft., have an opening height of 31", width of 16" and sill height of 40.5" in one window. The next window is openable to 3.44 sq. ft., height of 31", and width of 16" and has a sill height of 38". On August 14, 2003 a variance was granted by the by the Board of Housing and Quality Appeals to the minimum egress requirements and that variance was removed by a Court Order in Bloomington. On September 10, 2012 the window measurements were as above and the windows were changed by the owner to give an openable area of 5.59 sq. ft., an openable height of 22.5" and openable to 64.5" with the sashes removed an openable width of 35.75" and a sill height of 20.5". The proponent advises that to replace these new windows to the size required would be extremely difficult and costly and would require the removal of the frontage of the building.

- 13-02-4      A      **3200 East John Hinkle Place Unit K – Bloomington – Windows**  
*The emergency egress windows do not meet the code of record for size.* The code of record calls for the windows to be a minimum of 5.7 sq. ft. in openable space, a minimum of 24" high, 20" wide and have a maximum sill height of 44". The current windows are 5.75 sq. ft. in area, height is 23", width is 36" and the sill height is 25". The other window is 7.03 sq. ft., 23" high, 44" wide and has a sill height of 25".
- 13-02-5      A      **Hartford City National Guard Armory – Hartford City**  
*Replacement windows were installed that do not follow the code of record for the building type.* The original windows were replaced with wood framing and replacement windows that are double hung wood windows. The hardship is that, without the variance, the annual Amusement and Entertainment Permit cannot be issued and they will no longer be able to rent the facility. The income from the rentals supports the budget for the maintenance and upkeep of the building and grounds. The costs to replace the completed construction would create excessive costs to the state agency.
- 13-02-6      A      **2600 Olcott Blvd. – Bloomington – Windows**  
*The emergency escape and rescue windows do not meet the code of record for size.* The code of record requires the windows be a minimum of 4.75 sq. ft. in openable area, have a minimum clear height of 24", a minimum clear width 18", and a maximum sill height of 48" above the finished floor. The current windows are as follows: 5.08 sq. ft., height of 61", width of 12" and a sill height of 19". The other window in question is 4.54 sq. ft., height of 54.5", width of 12" and a sill height of 25".
- 13-02-7      **Void**
- 13-02-8      CI      **ECTA Auxiliary Exit Path Paving – Evansville**  
*The agency's interpretation of Section 1024.6 of the 2008 Indiana Building Code will not be followed.* The exits for tennis courts will not have a hard and sealed surface from the exit door to the public way. Scott Perez, the previous Building Law Compliance Officer, issued an official interpretation stating that acceptable walking surfaces for exit discharge

that could be used are concrete slab, asphalt sidewalks, or other solid, hard surface-type materials. Gravel, stone, mulch or other non-solid type of surfaces do not meet the requirements for a walking surface associated with an exit discharge. The proponent advises that the exit doors will not be used unless the main exits are blocked. The exits in those locations will only be used by tennis players. Compacted rock surface will provide safe clean access if it was ever needed. The area involved will be well lit, and all the main and side exits are compliant. The hardship is the installation of the solid surface for over 300', the length of the building, will cost approximately \$12,000 - \$15,000.

- 13-02-9 CI **University of Southern Indiana-- Evansville**  
*Above grade patio has an occupant load in excess of 50 and door swing does not comply with code.* Doors swing into patio area. Proponent advises providing in-swinging doors from patio to building would require panic hardware, which would allow intruders accessing the patio from the lower roofs into the building without passing through normal security. Audio visual fire alarm devices will be added, which would provide early warning to occupants and a call station intercom to a constantly attended on-campus security office, which will generate emergency response to any problem. It would cost in excess of \$10,000 of unbudgeted capital expenditures to rectify the problem.
- 13-02-10 CI **Villages of Brookside – McCordsville** Project #362351  
*The code required 4' deck will be reduced to 1' on one side of this semi-public pool.* The proponent advises the reduction of the deck will give the look of an infinity edge pool and would make use of a site with slope away from pool and down into the lake. What's the hardship?
- 13-02-11 CI **Credence Crematory – Paoli** Project #356361  
*The code required accessible means of egress from the building, exit to the public way and accessible parking will not be provided.* The proponent advises that the accessible route cannot be done due to the building being old and it was built right on the street. They also advise that the building is not open to the public and there are no employees. There will be no one parking at the building and when the proponent comes she pulls into the building to unload and then pulls back out of the building when she leaves. This appears to be a rather large building and nothing is said about the rest of the building as to if it is being used for any other purpose or is rented out.
- 13-02-12(a)(b)(c)(d) **451 Market Street – Indianapolis** Project #359817  
 C (a) *The code requires a Class C-semipublic pool to have shower facilities within 300 feet of the pool.* Some of the apartments with showers will be beyond 300 feet. The proponent advises that the 2008 Indiana Building Code allows 500 feet to plumbing fixtures and the 2012 International Swimming Pool and Spa Code refers to the IBC and the IPC for sanitary facilities. These codes would permit a travel distance up to 500 feet. The undue hardship is the cost to provide public showers near the pool. What's the farthest distance to a shower?
- C (b) *The code requires all pools to have uniform slopes.* There will be a non-uniform slope (vertical drop) from 6'0 to 4'0 between the sun shelf and the swimming area. The proponent advises the Swimming Pool Code does allow such changes for offset ledges,

underwater seat benches, and wading areas per 675 IAC 20-2-10, 675 IAC 20-2-12 and 675 IAC 20-5-8. The change in elevation will be visually set apart from the deeper area. The hardship is the limited floor area to provide the swimming pool and the nature of the pool.

- C (c) *The code requires Class C swimming pools to have a continuous deck width of 4' around the entire pool.* The pool will be a vanishing edge pool (infinity pool). Only 50% of the pool will have an adjacent deck. The other 50% will not. The proponent advises the 2012 International Swimming Pool and Spa Code permits vanishing edges for 10% of the pool perimeter. The maximum depth of the pool is approximately 4'. Spas up to 4 feet in depth are permitted to have a deck only 50% of the perimeter. The code requires handholds around the perimeter of the pool. The hardship is the nature of the pool.
- C (d) *A five (5) story mixed use facility will have apartments on the upper four (4) floors.* The individual apartments will have electric furnaces. Local code enforcement has interpreted the code to prohibit return air coming from residential kitchens. There will be a return air grille in the kitchen. The proponent advises the intent of the code is to prohibit the recirculation of contaminated air and does not consider a residential kitchen to have or produce contaminants. The hardship is the need to return air from various portions of the apartments.

13-02-13

- C **The Axis – Indianapolis** Project #359168  
*Sprinkler deflectors will not be within 12 inches of the ceiling/deck as required by NFPA 13.* There will be some combustible concealed spaces at the roof that will have sprinkler deflectors approximately two (2) to ten (10) feet below the deck. The proponent advises that pendent dry sprinklers will be installed in the upright position so as to throw water up to the deck. Pressure needs for the increased elevation will be designed into the system. Per the proponent, given the heights and volume, activation time or operation of the sprinklers will not be significantly decreased. The hardship is installing dry sprinklers in the combustible concealed space. The concealed space is not heated and dry sprinklers are limited to four (4) feet in length.

13-02-14(a)(b)(c)

- AI **Brownsburg H.S. Football Field Press Box - Brownsburg** Project #362481  
(a) *An enclosed press box and concession stand for a high school football will not meet the energy code requirements.* The proponent advises the press box is used infrequently during the year. The hardship is the cost to insulate the building.
- AI (b) *The code required manual fire alarm system with an emergency voice/alarm will not be provided.* The code requires a manual fire alarm system and an emergency voice system for all assembly occupancies with 1,000 or more occupants. The main grandstand will accommodate approximately 5,000 persons. The proponent advises the majority of the occupants are in outdoor seating. The IBC Committee has proposed an exception for outdoor grandstands to the 2012 International Building Code. A functioning emergency voice/alarm communication system with listed fire alarm speakers is difficult, if not impossible, for an outdoor space.
- AI (c) *The elevator that serves the press box will have a section of the hoistway that will exceed 36 feet by 0.5 feet and will not have an access door.* The code requires an access

door at least every 36 feet. The proponent advises the elevator is used infrequently and providing an access door for a 36.5 foot section is a hardship.

13-02-15(a)(b)(c)(d) **Art Gallery Perrin Building - Lafayette**

Project #362445

- C (a) *The change of use of the 1<sup>st</sup> floor of a four (4) story building with a basement, under a Chapter 34 evaluation, will have a failing score of 49 points.* An art gallery (A-3 occupancy), will replace the current use offices (B occupancy). The existing upper floors of business and apartments will remain the same. The proponent advises the basement (storage), first floor (art gallery) and second floor (yoga studio) will be sprinklered per NFPA 13. Smoke detectors, horns and strobes, and emergency lighting will be installed in the basement, first floor, exit stairs for the second, third and fourth floors. The proponent also advises that, in order to pass the analysis, the building would need to be sprinklered throughout, vertical shafts with fire ratings, fire rated construction, and a new passenger elevator. The hardship would be to pass all the costs onto the new tenants.
- C (b) *The code required level landings for interior conditions will not be provided on both sides of entrance and vestibule doors.* The slope will be 1 in 48 (2 percent). The proponent advises the 2008 IBC permits 1 in 48 (2 percent) slopes for exterior landings. ANSI A117.1 – 2003 Edition permits slopes of 1:48 within maneuvering spaces. The front entrance is required by ADA to be accessible and providing an accessible path on the exterior of the building has been difficult.
- C (c) *Handrails will not be provided on each side of stairway as required by code.* A single handrail will be provided on an exterior stair. The stair, one of two (2) exits, serves a yoga studio and two (2) apartments. The proponent advises the building will be partially sprinklered per NFPA 13. The existing stair has no handrails. The front entrance of the building will be restored to the original sidewalk elevation to achieve accessibility for the first floor tenant. The hardship is providing a second handrail considering the existing conditions, which do not allow for adequate extensions required by code. The historic building elevation will be altered with the addition of a handrail on the building. What portion of the building will be sprinklered?
- NVR (d) *There is a question as to the code allowing the R-3 on the 4<sup>th</sup> floor per the IRC.* The local fire department has stated that the IRC does not allow an apartment on the 4<sup>th</sup> floor. The IRC is not the code that should be cited in this instance, the IBC should be used. Therefore no variance is required.

13-02-16 CI **PQ Corporation – Clarksville**

*The time frame for the response of the alarm to the local fire department will be extended from 180 sec. to 300 sec.* This is being done in an effort to give the alarm company time to contact the facility to check on the need for an emergency response of if it is a false alarm. The proponent advises that with their current alarm company this can take in excess of 5 min. and with the change of alarm companies they will be able to do this within 5 min. This is an effort to reduce false calls to the first responders. The hardship in that the 180 sec. time frame is insufficient to make this system work, therefore the increased time is needed.

- 13-02-17(a)(b)(c) **Patterson Pointe PUD – East - Bloomington**
- CI (a) *The code limits common path of egress travel to 75 feet for R-2 occupancies.* The three (3) story townhouse units will have a common path of travel of approximately 109 feet. The proponent advises the buildings will be protected with an automatic sprinkler system per NFPA 13R. The 2012 IBC will permit 125 feet travel distance with a NFPA 13R system. A variance [(12-12-17(b))] was approved last month for the exact same unit in the west development across the street. The hardship is the additional cost of providing another exit stair within a townhouse that only has approximately 485 sq. ft. per floor.
- CI (b) *The code limits common path of egress travel to 75 feet for R-2 occupancies.* The four (4) story townhouse units will have a common path of travel of approximately 95 feet to the exterior balcony. The proponent advises the buildings will be protected with an automatic sprinkler system per NFPA 13R. The 2012 IBC will permit 125 feet travel distance with a NFPA 13R system. A variance [12-12-17(b)] was approved for a similar condition in the West development across the street. The hardship is the additional cost of providing another exit stair within a townhouse that only has approximately 500 sq. ft. per floor.
- CI (c) *The code required standpipe system will not be provided in this four (4) story townhouse.* The code requires building with floors over 30 feet from grade to have a Class I or III standpipe system. The fourth floor is approximately 31 feet above grade, slightly more than street level. The proponent advises the building will be protected with an automatic sprinkler system per NFPA 13R. If the townhouses had property lines, the 2005 IRC would apply. The townhouse units do not have fire-rated enclosed stairs, or public/common space, for the fire department to operate within. The hardship is the additional cost of providing standpipe in every townhouse unit. What is the cost?
- 13-02-18 C **Floyd County Waste Management Office – Galena**
- Only one handrail will be provided for the stairway going to the 2<sup>nd</sup> floor from the 1<sup>st</sup> rather than the code required 2.* The proponent advises that the stairs are only 3' wide and has winders and no handrail at this time. The proponent proposes to add the single hand rail in order to keep available as much width as possible. The structure is a historic residence that is being converted to a small office for Waste Management. The hardship is the nature and physical constraints of the building any modifications to the staircase would adversely affect the historic nature as well as the overall space of the existing building.
- 13-02-19 BI **The Alexander Hotel – North of South – Indianapolis** Project #352438
- Two hotel rooms (Room 3023 and 4023) have roll in showers and will not have a permanent bench seat as required by Section 1107.6.1.1 of the IBC.* The accessibility code requires a built in seat within the shower, depending on the configuration of the controls. In Section 608.2.2 of ICC/ANSI A 117.1 the 2003 Edition a seat is not required when the shower controls are on a back wall, or when there is not lavatory next to the shower. The code notes that without the transfer seat the user sits in the wheelchair. The proponent advises that they will furnish a portable seat in the bathroom for use in the shower if desired. The hardship is the shower and grab bars are installed and would interfere with the folding bench.



- 13-02-20 C **Salem Middle Sch. Performing Arts Ctr. Light Replacement – Salem**  
*A fire watch will not be provided for the auditorium area of the building that will have its existing sprinkler system temporarily turned off for approximately 6 weeks, to allow for light replacement and maintenance.* The code requires that the building be evacuated or an approved fire watch be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service. The proponent advises the area will be closed to the public. The existing sprinkler system will remain active in all other portions of the building. The hardship is the fire watch would burden the financial constraints of the project for an area that is closed to the public. Will anyone be in the building?
- 13-02-21 CI **Bank of America – Access Controlled Door – Indianapolis**  
*A magnetic lock will be used on a marked egress door.* The 2008 Indiana Building and Fire Code prohibit the use of magnetic locks. The proponent advises the door is solid glass with no frame, only bolt at bottom. The lock would prevent intruders from coming in while maintaining free egress. A motion sensor on the egress side of the door would detect occupants approaching the door and would directly interrupt power to the lock. A secondary unlocking device (push button) will also interrupt power to the lock. Lock will be tied into building fire alarm system so that the door will unlock upon signal from the fire alarm. Loss of power will unlock the door. It would cost approximately \$26, 234 in order to provide free egress on the marked exit door and keep it secure. Magnetic lock installation on existing door would cost \$2,100. What is the space for which they want to restrict egress?
- 13-02-22 CI **Worthy Women Recovery Home – LaPorte** Project #360590  
*The code required sprinkler system will not be provided in this R occupancy.* The proponent advises exit signs will be provided in pertinent areas, wall mounted security cameras, alarm stations, battery operated lighting systems will be provided, along with wall mounted visual and auditory alarms with hard-wire system to police and fire stations, wall mounted actuator panel tied to alarm pulls and smoke detectors, smoke alarms hard wired to all mounted alarm systems, and window fire escapes in second floor sleeping areas. The hardship is, this is a building that houses 14 former inmates recovering from substance abuse addiction and they are privately funded 501c3 non-profit. If the building incurs water damage, it would be difficult to relocate the ladies.
- 13-02-23 AI **Wishard Hosp. Replacement Facility – Indianapolis** Project #345739  
*Toilet and bathing room floors will have a 4” base that extends upward onto the walls.* The code requires these rooms to have floors with a smooth, hard, nonabsorbent surface that extends upward onto the walls at least 6 inches (152 mm). The proponent advises the 2012 IBC allows for the 4” base. The hardship is the 4” base has already been purchased and switching to the 6” base will result in a financial hardship.
- 13-02-24 BI **Redeemed Church of God – Indianapolis**  
*The code required automatic sprinkler and monitoring system will not be provided in this A-3 occupancy with an occupant load in excess of 300.* The proponent advises this location will be occupied temporarily until the church is able to move to the new facility

in July of 2013. The new facility is currently under construction. The hardship is that the current water service to the existing 7,420 sq. ft. facility is not of a sufficient size to support an automatic sprinkler system. A new water line would need to be installed from the main water service, which is located on the opposite side of the street, which would require that the new water service be provided by boring under the street at significant cost to the church. The new church project #357484 released June of 2012.

13-02-25

**Barnes and Thornburg Lobby Renovation – Indianapolis**

- C (a) *The 1<sup>st</sup> and 2<sup>nd</sup> floor lobby space will be renovated to house a “B” occupancy and an occasional reception and gathering assembly space used after hours. The previous use was a bank, then a book store (B/M occupancies).* The code would require the entire building to be brought up to current code with either all rules for new construction or with Chapter 34. The proponent advises this building is listed on the National Register of Historic Places, and was the tallest high rise in Indianapolis until 1962. Sprinklers will be installed in portions of the 1<sup>st</sup> and 2<sup>nd</sup> floor and the general basement area below the space (excluding the old bank vaults). Portions of the historic lobby space will remain unsprinklered. The 1<sup>st</sup> and 2<sup>nd</sup> floor lobby will each have access to two (2) remote exits, as required and fire alarm devices will be added to the lobby space as required. The proponent also advises that strict compliance would not allow the occasional assembly functions, which is a significant benefit to the owner in conducting their business. How big is the space on each floor?
- C (b) *A designated maximum occupant load of 300 for the occasional assembly area will be used in lieu of the calculated occupant load based upon standing room in the entire lobby as required by code.* The proponent advises sprinklers will be installed in portions of the 1<sup>st</sup> and 2<sup>nd</sup> floor and the general basement area below the space (excluding the old bank vaults). Portions of the historic lobby space will remain unsprinklered. The 1<sup>st</sup> and 2<sup>nd</sup> floor lobby will each have access to two (2) remote exits, as required, which will accommodate the occupant load requested. Fire alarm devices will be added to the lobby space as required. Strict compliance would result in a very high occupant load and require additional exit width, which cannot be provided based upon the historic character of the lobby. What is the calculated occupant load?

13-02-26

C **I U Health Neuroscience Brain Tumor Program – Indianapolis**

*The code required visible alarm notification devices will not be provided in outpatient exam or consultation rooms.* The proponent advises the building will be fully sprinklered and have fire alarm horns and strobes located in the corridor outside of the exam and consultation rooms. The sound pressure level within the exam and consultation rooms, when the fire alarm system is activated, will be at least 15 dBA above ambient. A variance (12-1-12) identical to this was granted for other projects in the building. The exam and consultation rooms serve an outpatient population with neurological health issues. Activating a fire alarm strobe during their treatment could be detrimental to their health by triggering seizures or similar adverse neurological conditions.

13-02-27(a)(b)

C

**Model Mill Building – Noblesville**

(a) *This is a re-request of variance 10-04-45(e). The 2<sup>nd</sup> stairs connecting the 3rd and 4th floors have been revised along with the proposed use of the 4<sup>th</sup> floor for office use. The*

*common path of travel from the 4<sup>th</sup> and 5<sup>th</sup> floor office area will exceed the permitted 75 feet common path of egress travel, due to the convergence of separate paths on the 3<sup>rd</sup> floor where there is access to two (2) exits. The proposed distance will be 125 feet. The proponent advises the building is fully sprinklered per NFPA 13. The code permits a maximum common path of travel of 125 feet for R-2 occupancies where the building is protected throughout with NFPA 13 system. The office area is less hazardous than a dwelling unit. The building is equipped throughout with a fire alarm system and corridor smoke detectors. A maximum occupant load of 20 will be posted for the 4<sup>th</sup> floor and a maximum occupant load of 10 will be posted for the 5<sup>th</sup> floor. The previous variance allowed a maximum of 30 occupants for the combined floors. The proposed revised stair location will maximize the use of the event space below on the 3<sup>rd</sup> floor and will separate functionally the office area from the event space. What is the hardship?*

- C *(b) This is a re-request of variance 10-04-45(g) based on the revised location of the 2<sup>nd</sup> stair connecting the 3<sup>rd</sup> and 4<sup>th</sup> floors, and revised use of the 4<sup>th</sup> floor for office. There's a cupola provided on the 5<sup>th</sup> floor with a single open egress stair to the 4<sup>th</sup> floor. The 5<sup>th</sup> floor is 169 sq ft with useable space of 109 sq ft. A 364 sq ft exterior rooftop deck will be added, accessible from the 5<sup>th</sup> floor enclosed space. The two (2) egress stairs from the 4<sup>th</sup> floor down to the 3<sup>rd</sup> floor will have one (1) unenclosed interior stair and the new exterior stair connecting the 3<sup>rd</sup> and 4<sup>th</sup> floors. What is the hardship?*

- 13-02-28 C **Indianapolis Zoo Orangutan Exhibit – Indianapolis** Project #358757  
*A domestic booster pump will be provided to supply the pressure to the Zone 2 fire protection system deluge valve and the pump is not UL listed for fire pump service. The proponent advises the pump will be designed to meet the sprinkler system demand for Zone 2. The sprinkler system will comply with the design and installation requirements of NFPA 13. The pump will be connected to the emergency power system. A UL listed double check valve listed for fire protection service will be provided to separate Zone 2 from the domestic water supply. The system does not protect the public areas. The proponent also advises that the use of this type of sprinkler system allows the additional criteria set by the user to be met. The deluge system is specifically designed to be used at the roof-line peak to provide maximum protection for the orangutans and would allow the system to be installed with the available water supply. What is the hardship?*

- 13-02-29 BI **Estes Express Line – Fort Wayne** Project #361175  
*A 12,000 gallon tank will exceed the code allowed 10,000 gallon maximum for a single tank. The proponent advises they will provide 110% secondary containment of the primary tank. The proponent advises that the hardship is the negative impact on local business operation due to delay on infrastructure improvements for the facility.*

- 13-02-30(a)(b) CI **The Warehouse by The Family Center – Bloomington**  
*(a) The Chapter 34 evaluation of the multiple occupancies planned in the Master Plan for the building will require an additional 5 points for Fire Safety, 12 points for Means of Egress, and 10 points for General Safety per Table 3410.7 of the 2008 IBC to achieve an overall passing score. The proponent advises that the building is changing occupancy from a former "B" and "S-1" occupancies to various "A" occupancies, along with future potential "M" and "E" occupancies. The building is being developed into a multipurpose*

facility by local philanthropists for use by the community and local not-for-profit entities. The building is approximately 205,000 sq. ft. in area and is of Type IIIB Construction. The building is sprinklered throughout with an automatic sprinkler system which is being maintained as required and has a new fire protection pit, PIV, etc. is installed. The building is also provided with a fire alarm system including fire alarm horns and strobes which are provided according to the current code in the occupied portions of the building. Egress illumination and exit signage will be provided in compliance with the IBC for the occupied area and the means of egress from the area. The main building structure (frame and roof) is noncombustible. An easement has been recently secured from the property owner to the north to enhance fire department access to the building. There is currently access to the rest of the building. The hardship is that the maximum points available for the allowable area, sprinkler system, and fire alarm system have been provided. Only one negative score is indicated – for tenant separation, which is not required by the IBC for new construction in this case. Without this variance, a change of occupancy as proposed is not feasible. The local fire department has concerns about this variance.

- DI (b) *The variance request is to allow the proponent to self-designate the occupant load rather than follow the code required per Table 1004.1.* The proponent advises that they will submit this calculated occupant load on a proposed plan. The current proposed plan will utilize portions of the building for various assembly functions benefitting youth and other groups consistent with the Family Center mission, including worship services, concerts, and various sports functions. The proponent advises that the building is changing occupancy from a former “B” and “S-1” occupancies to various “A” occupancies, along with future potential “M” and “E” occupancies. The building is being developed into a multipurpose facility by local philanthropists for use by the community and local not-for-profit entities. The building is approximately 205,000 sq. ft. in area and is of Type IIIB Construction. The building is sprinklered throughout with an automatic sprinkler system which is being maintained as required and has a new fire protection pit, PIV, etc. is installed. The building is also provided with a fire alarm system including fire alarm horns and strobes which are provided according to the current code in the occupied portions of the building. Egress illumination and exit signage will be provided in compliance with the IBC for the occupied area and the means of egress from the area. The main building structure (frame and roof) is noncombustible. An easement has been recently secured from the property owner to the north to enhance fire department access to the building. There is currently access to the rest of the building. The hardship is the IBC does not have an occupant load factor matching the intended uses – strict compliance with specific factors such as 7 sq. ft. per person or 15 sq. ft. per person would result in an occupant load far exceeding intended uses. What is the closest occupant load factor?

13-02-31

BI **ILPEA Industries North Plan Addition – Scottsburg**

*The proposed manufacturing addition of approximately 23,900 sq. ft. to the 98,250 sq. ft. current building will be within 60' of the property lines and, based upon classification of the building as unlimited area for the existing building, the addition will not be provided with the required 4 hour wall separating it from the property line which will place the entire structure in noncompliance.* The proponent advises that they will install sprinklers throughout the new building and the current building is already sprinklered. They will also install a sprinkler curtain along the interior face of the exterior wall of the addition to

the north, where there is 17.5 ft. to the property line. The addition will be located 58' from the opposite side of South Main Street to the east and over 60' to the center line of the permanent rail line to the west. The hardship is the strict compliance with the 60' requirement would restrict the size of the addition or otherwise require 4 hour fire walls, which is a cost hardship.

13-02-32

B

**Valparaiso Health Center – Valparaiso**

Project #354762

*A non-complying duct penetration into a stair enclosure will be on each end of the building, which is not allowed by the code.* The proponent advises that they will provide duct penetration protection with combination heat and fire dampers. The building is an outpatient medical treatment facility and will not provide treatment rendering patients incapable of self-preservation. The building is protected throughout with automatic sprinkler system utilizing quick response sprinklers. The building is of Type I-B construction, Type II-B is permitted. Standpipes are provided, although not required by the code, in the stairs and on the roof top. The hardship is that the stairs are on the outside of the building and have significant glass which requires that the air be conditioned to avoid extremes in temperatures in the summer and winter.

13-02-33(a)(b)(c)(d)

**Hotel Broad Ripple – Indianapolis**

C

*(a) Two properties will be joined to allow the connection of the two buildings on a single property, thus enabling them to be used as a hotel.* The connection of the two buildings is the purpose of this variance. This is needed due to the lot line between the buildings, where openings are not permitted. The project involves the conversion and renovation of the 2 existing structures for use as a hotel with 9 guest rooms. Each structure was originally a single family residence. The south structure has been used for several commercial purposes historically. The building is classified as Type VB Construction and will be evaluated per Chapter 34 of the IBC, for the change of occupancy. The project also includes a 1 story connector addition between the 2 structures. The entire structure will be protected throughout with an automatic sprinkler system per NFPA 13D. Both properties are owned and controlled by Hotel Broad Ripple, LLC and based upon the evaluation of both properties per Chapter 34, IBC, connecting the properties will not be adverse per the proponent. The hardship is that the project will not be feasible if the properties cannot be connected to function as a single structure. What is the cost of a 13R system?

C

*(b) The code required NFPA 13R sprinkler system will not be provided.* The proponent advises that the structures will be instead protected with an NFPA 13D sprinkler system. The buildings will have smoke detection system throughout with an interconnected system in the common areas of the building and individual single or multiple-station detectors within the guest rooms. The guest rooms will be separated from each other with 1-hour fire partitions and floor assemblies separating guest rooms will be 1-hour rated. The hardship is the cost of a full NFPA 13R system. The improvements to the building are limited to a maximum of 50% of the value of the building based upon City requirements for properties located in a flood plain, necessitating efficiency in all aspects of the design.

C

*(c) Three of the 2<sup>nd</sup> floor guest rooms will have access to a single exit rather than the code required 2 exits.* The proponent advises that the structures will be instead protected

with an NFPA 13D sprinkler system. The buildings will have smoke detection system throughout with an interconnected system in the common areas of the building and individual single or multiple-station detectors within the guest rooms. The guest rooms will be separated from each other with 1-hour fire partitions and floor assemblies separating guest rooms will be 1-hour rated. The hardship based upon the small floor plates involved, the provision of a 2<sup>nd</sup> remote exit in each case is difficult to achieve. The improvements to the building are limited to a maximum of 50% of the value of the buildings based upon City requirements for properties located in flood plains, necessitating efficiency in all aspects of the design. Is an exterior stair possible?

- C (d) *The code required landing on each side of a door will not be provided on the stair side of 2 existing stairs.* The condition occurs at the top of a stair within an individual guest room in one case and in the other case it is a door at the top of the stairs to the basement. The project involves the conversion and renovation of 2 existing structures for use as a hotel with 9 guest rooms. Each structure was originally a single family residence. The south structure has been used for several commercial purposes historically. The building is classified as Type VB Construction and will be evaluated per Chapter 34 of the IBC, for the change of occupancy. The project also includes a 1 story connector addition between the 2 structures. The proponent advises that in each case the door swings out from the stair so as to not swing directly over the steps. The hardship is due to the limited space involved in each case, there is not sufficient space to provide a full landing on the stair side of the door.

13-02-34

C

**Cottage 3 – Focus Room Addition – Jeffersonville**

Project #361604

*The code required sprinkler system for the R-3 Occupancy will not be provided.* The proponent advises that the existing cottage is a licensed 10 person residential treatment living space. The addition to Cottage 3, classified as an R-3, will include 2 focus rooms used only for the treatment and observation of de-escalating clients at a time of high stress. During the times of high stress, the clients will be taken into the space and will be under direct supervision until they are able to return to a calm state. The addition will provide short term, periodic, occupancy only for less than 24 hours. Only one child will occupy a focus room at a time so only two children will be in the refocus area, one per room, at any time. The current cottage was built in late 1974 – 1975 and was not constructed with a sprinkler system. The addition is a single story addition that is attached to the current two story structure. The addition runs 24' 4" out from the current building and is 28' 3 5/8" wide. The addition has the 2 focus rooms with a restroom attached to each room and a corridor which travels between the two focus rooms and the entry to the current building or to the outside. The hardship is the cost and the fear of exceeding the design loads of the existing wood structure to support the new sprinkler system as well as the possibility of the attic insulation needed to protect the piping from freezing.

13-02-35(a)(b)

CI

**ALH Building System Connector – Markle**

Project #359362

(a) *A material handling connector of 1,130 sq. ft. added in 2007 to connect separate portions of the facility, creates a single building of approximately 106,000 sq. ft. consisting of groups of existing buildings on the site that are used by the owner in their*

*manufacturing of floor, roof trusses and wall panel systems, which cause the structure to be over area for the construction types per the code.* The current buildings are a combination of several types and combinations of construction types, including steel frame (Type IIB), masonry bearing (Type IIIB), and some wood frame (Type VB), with the least common classified as Type VB Construction. Since there are no fire walls separating buildings within the complex, the existing building (+ the connector), exceed current allowable area. The buildings are classified as F-1 Occupancy (manufacturing), S-1 Occupancy (storage, etc.) and B Occupancy (office and administrative). The proponent advises that the portion of the building labeled as the "West Building" is protected with an automatic sprinkler system, which has been repaired and is functional. The Connector and the portion of the building labeled as the "East Building" will have a sprinkler system installed, which will be functional by June 30, 2013. The Connector will not provide any additional hazard to the connected buildings, based upon sprinkler protection. The hardship is the connector provides weather protection for material movement by forklift between the different portions of the complex. No plans provided as described above.

- BI (b) *The new structure will not be provided with the code required drinking fountain, emergency shower or eyewash station.* The proponent advises that there is a drinking fountain provided within an adjacent existing structure. The owner will provide a double water bottle eyewash station in the office area for immediate flushing. The addition is open to the exterior and used only as a shelter for wood products. No solvents or other liquids, hazardous or not, are stored in the facility. The hardship is that the requirement for an emergency shower, drinking fountain and eyewash station would require the installation of a dry system and the system would be subject to damage by forklifts and product.

- 13-02-36 C **Three Mass Condos – Wheelchair Lift – Indianapolis** Project #325270  
*A platform lift providing wheel chair access to the 10<sup>th</sup> floor will be used rather than the code required elevator to provide access to the 10<sup>th</sup> floor.* The 10<sup>th</sup> floor of the building has a roof top terrace and the platform lift will provide the access to this feature of the building. The building includes 2 levels of below grade parking, 1<sup>st</sup> floor retail/restaurant and residential condominiums on floors 2 through 10. The building is classified as R-2, M, A-2, and S-2 Occupancies and is of Type IB Construction. The platform lift is being installed to provide wheelchair access for the condo tenants to the rooftop terrace. The proponent advises that the wheelchair lift will be provided with emergency power backup to permit use in the event of loss of primary electrical power source to the building. The building is provided with an automatic sprinkler system throughout per NFPA 13. The building is also equipped with high-rise building features including voice-alarm system, emergency communications system, fire command center, and emergency power and standby power systems. A corridor smoke detection system is provided for enhanced detection in the common areas of the building. The hardship is the cost and logistics to extend a full size elevator to the rooftop terrace level. Defer to Commissioner Corey.

- 13-02-37 CI **Christel House Academy – Sliding Gate – Indianapolis**  
*A sliding gate will be installed across an egress corridor, which is not allowed by code that will be used during the times the school is being used for adult classes.* The

proponent advises that there will be an alarm sound when the gate is opened during the times that it is in use. The gate can be opened without any special knowledge. The gate will be secured during normal hours of the K through 12 use of the building. The building is protected with an automatic sprinkler system and a fire alarm system. The hardship is the need to separate the building during after school program times and the concern to control the location of the adult students to not allow them to roam the building. How is the gate secured during the day?

13-02-38

A

**ITT Exelis TAC Buildings – Fort Wayne**

*The current egress corridors in the pre-1985 IBC portion and 1988 additions are currently maintained as 1 hour rated per the code in effect prior to the 1985 IBC. The variance request is to permit the removal of existing door closers from rated corridor doors throughout the building, except where 1 hour walls will be maintained and/or provided to create control areas. The business develops and delivers a wide variety of products and systems for aerospace, defense, and other commercial clients. The building is classified as “B” Occupancy per the current IBC and “B-2” Occupancy per the codes of record for the building. The center portion of the building includes “A” Occupancy cafeteria and meeting rooms. The building is protected throughout with an automatic sprinkler system per NFPA 13. The proponent advises that all of the codes since 1986 have permitted nonrated corridor construction for the occupancies affected when protected with a sprinkler system. The hardship is the operational hardship to maintain the self-closing doors.*

13-02-39

A

**ITT Exelis Summit Park Building – Fort Wayne**

*The current egress corridors in the pre-1986 portion and 1996 additions are currently maintained as 1 hour rated per the code in effect prior to 1986. The variance request is to permit the removal of existing door closers from rated corridor doors throughout the building, except where 1 hour walls will be maintained and/or provided to create control areas. The proponent advises that ITT Exelis develops and delivers a wide variety of products and systems for aerospace, defense and other commercial clients. The 1 story building is classified as “B” and “F-1” Occupancies per the current IBC, and “B-2” Occupancy per the codes of record for the building. The building is protected throughout with an automatic sprinkler system per NFPA 13. The proponent advises that all of the codes since 1986 have permitted nonrated corridor construction for the occupancies affected when protected with a sprinkler system. The hardship is the operational hardship to maintain the self-closing doors.*

13-02-40

BI

**Clayton Homes Plant #1 – Addition – Wakarusa**

*Neither the required separation between the Plant #1 building and the modular office unit nor sprinklers will be provided, except for the 8’ block wall on the exterior of Plant #1, which supports a mezzanine and some window openings that are between the current Plant #1, F-1 Occupancy, of 99,240 sq. ft. Type VB construction (after the proposed addition), which will be fully sprinklered. An existing modular office building located 7’ from Plant #1 is a B occupancy of 1 story and 2,125 sq. ft. of Type VB Construction, no sprinklers and no fire separation except for the 8’ concrete block wall on the exterior of Plant #1, which supports a mezzanine and some window openings. The proponent*



advises that the structures are located more than 60' from the property lines, there is a fire hydrant 180' from the modular office, the fire department is located within 1.5 miles of the property and the office building is drywall construction. The owner proposes to install a water curtain along the exterior side of the south wall of Plant #1 in the area adjacent to the office building. The sprinklers will be a dry system with heads approximately 10' apart, located under the eave. Each head will deliver 15 gpm or 3 gpm per lineal foot, whichever is greater. Sprinklers will be Viking QR ordinary hazard dry HSW 200 degree with 8.0K. The proposed installed cost of the curtain is under \$9,000.00. The hardship is installing sprinklers in the office building would cost in excess of \$40,000.00 and constructing a fire wall along the exterior wall of either building would also cost over \$40,000.00 and would require closing off windows. The relocation of the office would be cost prohibitive.

13-02-41(a)(b)

**Subaru Warehouse 10 Expansion – Lafayette**

Project #361474

AI (a) *The code required emergency shower, eyewash station, service sink, drinking fountain and rest room facilities will not be provided in the proposed warehouse expansion of approximately 100,000 sq. ft.* The warehouse expansion is classified as "S-1" Occupancy, the existing building also includes "B" and "F-1" Occupancies. The building is Type IIB Construction. The proponent advises there are restroom and drinking facilities for employees use provided in the existing building. The new building is for storage space of nonhazardous materials. The hardship is the cost of providing the noted plumbing fixtures for which there is no benefit to public welfare.

NVRI (b) *The existing fire alarm strobes located throughout the facility are not synchronized units.* The existing fire alarm control panel servicing the existing building and future additions will be replaced due to the age of the existing panel and the existing notification circuits are not required to be replaced and will remain in use. The proponent advises that the facility is being evaluated as to the location and photometric qualities of each device. The location of the strobes will meet the requirements of Section 3 of 7.5.4.1.2 which does not require synchronization where there are not more than 2 strobes located within an occupant's field of vision as defined by NFPA 72 which would cause the frequency of flash to become an issue. The hardship is that the installation meets the intent of NFPA 72 to provide for synchronization when 3 or more strobes are located within a subject's field of view. In accordance with the information provided by the proponent no more than 2 visual units will be in the field of vision at any one time so no variance is required.

13-02-42

CI **Ford Center – Evansville Arena – Evansville**

Project #342978

*The glazing materials used to install the exterior sloped glazing does not comply with the required type for installations in excess of 15° slope.* The glazing is installed in a range from 14.5° to 15.04°. The code requires the glazing materials to be of a type such as tempered, heat strengthened, etc. The proponent advises that the glazing contractor advises he has documentation the glass units in question have a safety factor of more than 6 times the load requirements required by a 100 year storm. Industry standard is typically a safety factor of 2.5. The measuring was done via a laser scanning. The hardship is correcting the glazing to within 15° slope would be a significant cost hardship without any benefit to the public safety. What is the cost?

- 13-02-43 CI **Bray Apartments – Lafayette** Project #353962  
*Some of the current door openings and stairs do not comply with the minimum width in accordance with the current code as required for the Chapter 34 evaluation.* The proponent advises that this project is a change of occupancy to convert the 1<sup>st</sup> floor office area to R-2 apartment occupancy. The building is 2 stories in height and is of Type IIIB construction. The building has approximately 2,500 sq. ft. of area on the 1<sup>st</sup> and 2<sup>nd</sup> floors each. The hardship is the cost to demo out the existing elements and replace with new.
- 13-02-44 C **Clifford Corners – Indianapolis** Project #353889  
*The code required Type “A” Units will not be provided in the building.* The IBC requires Type “A” Units where there are 20 or more units in the building. The building is classified as “M” and “B” Occupancies on the 1<sup>st</sup> floor and “R-2” Occupancy apartments on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. The proponent advises that all units will comply with Type “B” design and are accessible from an elevator. The proponent advises that this will comply with a proposed code change with the 2012 IBC that allows multi-family residential buildings to be designed per the federal Fair Housing Act in lieu of the IBC. The hardship is the space required and other features to meet Type “A” design. More information about the hardship is needed.
- 13-02-45 CI **Super Mercado La Plaza – Lafayette**  
*The existing restaurant tenant has an existing Type I hood exhaust system through the roof that is not provided with the code required access via ladder and platform to service the roof top fan.* The proponent advises that the roof is of a slope of at least 3 in 12 or greater. The tenant will also provide a maintenance agreement with the same contractor that has the agreement with the business next to this one that will provide the appropriate equipment to safely access the roof as needed. There was a variance approved for the business next door with the same contractor. The hardship is the cost of between \$5,000.00 and \$10,000.00 to install the code required platforms and railings.
- 13-02-46 CI **Fertilizer Storage and Blending Building – Poseyville** Project #349406  
*The code required 20 sq. ft. access openings in each 50 lineal feet are not provided in the existing F-1/S-1 Occupancy, which was constructed without a design release, 17,480 sq. ft. of which is utilized as bulk storage and blending of fertilizer.* The proponent advises that there are access openings except in the bin area. The building is not normally occupied except when scooping fertilizer from the storage bins and blending. The bins have fertilizer tight against the walls. During the processing of the materials there is a scoop operator, a truck driver and a supervisor. There are no public allowed in the area. The hardship involves the justification for access doors in the storage area.
- 13-02-47(a)(b) DI **Calvary Temple Assembly of God, Inc. – Indianapolis**  
 (a) *Code prohibited panic bar locking devices will be used even when people are in the building.* The code requires that these devices be removed when the building is occupied. The proponent advises that they remove these devices when they have services in the building but they want to leave them on the main sanctuary building during the time it is occupied by the maintenance staff. No hardship listed. Why are the doors not locking

properly, so they will work even if locked? Are the children in the day care ministry in the building when these doors are locked?

- CI (b) *An indoor play system was installed in 2006 that obstructs the sprinkler pattern in violation of the code and the code required sprinkler heads have not been installed under the obstructions.* The proponent advises that the day cared ministry does not have an outdoor play area and this system is used in lieu of that to give the students gross motor skill activities. They advise that the placement of sprinkler heads within the system would void the warranty and present a danger to the children, giving the possibility of them injuring themselves by hitting the heads or damaging the heads if they are struck by the children. No plans or pictures submitted.

- 13-02-48 NVR/CI **McAlister's Deli – Carmel** Project #361766  
*The code required 1 hour fire separation to limit the size of the area to less than 5,000 sq. ft. was not completed in accordance with code, so a sprinkler system is required to be installed.* This construction was done under the 1998 IBC for an A-3 occupancy for a previous tenant. In a meeting with Plan Review, the City of Carmel Building Department and Fire Department, it was found that this construction was not completed properly thus requiring the sprinkler system to be installed. The proponent advises that the owner will undertake the removal and will replace the proper items to make this a 1 hour separation compliant with the code of record. If this is done, there would not be a variance required since the code of record will be followed.
- 13-02-49 B **E & S Wood Creations – LaGrange**  
*The code required sprinkler system for an F-1 woodworking facility in excess of 2,500 sq. ft. will not be provided.* The proponent advises this facility is located in a rural area and will be provided with an NFPA 664 dust collection system in lieu of the code required sprinkler system as has been done in the past. The NFPA 664 system will be in accordance with the 1998 edition of that standard. The hardship is that the rural LaGrange County area has no city water supply nor is likely to have city water available in the near future. The estimated cost of a tank and well system is approximately \$125,000.00. The other choice of subdividing the building is not practical due to the manufacturing process and the movement of the product.
- 13-02-50 CI **Self Storage @ Anson – Whitestown** Project #361819  
*The code required emergency showers, eyewash stations and service sinks will not be provided in this new S-1 self storage facility and 1 office area.* The proponent advises that the buildings are not permitted to store hazardous materials or chemicals. The hardship is the cost to install these items. How do they know hazardous materials won't be stored in the individual units?
- 13-02-51(a)(b)(c)(d)(e) **Englewood Lofts – Indianapolis** Project #361823  
DI (a) *Dryer vents will exceed the code allowed maximum of 25' in length.* The proponent advises that the worst case is 39' 6" and there will be 11 units in excess of 25'. The existing church is being converted into 24 R-2 Apartment units. The building will be provided with a fire suppression system throughout per NFPA 13R the 2010 Edition. The tenants will be required to purchase, per the lease, dryers that the manufacturer

advises are capable of exhaust lengths in excess of 40'. There are 3 brands spec sheets included in the application. The hardship is the existing building would make it extremely difficult to comply with the code.

- AI (b) *The code limited 75' maximum common path of travel distance to a choice of 2 exits will not be met for one unit on the 1<sup>st</sup> floor, identified as unit "1A" on the enclosed sheet.* The distance for this common path of travel will be 77' 6". The building will be provided with a fire suppression system throughout per NFPA 13R, the 2010 Edition. The hardship is the existing buildings footprint will not permit this loft to be located so the common path of travel can be within the 75' allowed. The proponent advises that the 2012 IBC allows 125' distance when sprinklered.
- BI (c) *There will be unprotected openings on the east and south sides that are required to be protected per Table 602 and Table 704.8 of the IBC, due to the openings being less than 30' from the centerline of the public way or property line.* The building will be provided with a fire suppression system throughout per NFPA 13R the 2010 Edition. The openings will be protected with additional sprinklers. The sprinklers will be located so associated curtains, blinds, etc. will not obstruct the discharge pattern of the sprinklers. The hardship involves the existing building is registered with the Indianapolis Historic Preservation Commission and reduction of the openings was not permitted. The sprinklers mentioned did not state that they would be installing closed spaced sprinklers above the openings to protect them.
- CI (d) *Of the 3 entrances to the building, one will be accessible and the code requires there to be at least 2 of the 3 be accessible.* The proponent advises that the building is registered with the Indianapolis Historic Preservation Commission and the existing entrances are not permitted to be altered except for the one that is being proposed to be changed. The hardship is that the building is not permitted to have ramps located at any other location than is proposed.
- CI (e) *The windows are being replaced with double hung windows that will not comply with the reach ranges specified in ANSI 117.1 Section 308.3 of 48".* The proponent advises that the windows are going into the current window locations and with the building on the Indianapolis Historic Preservation Commission they cannot change the locations or alter them.

13-02-52(a)(b)

**Napolese Pizzeria – Fashion Mall – Indianapolis**

Project #362352

- C (a) *The rest room facilities in the common mall area adjacent to the food court will be used to satisfy the rest room requirements for the 1,922 sq. ft. pizza restaurant tenant adjoining the food court.* The proponent advises that the tenant will provide a single unisex rest room within the tenant space. The rest room facilities are within 500' of the tenant spaces "utilized as restaurants, nightclubs, places or assembly and retail sales occupancies" is permitted "in covered mall buildings" per Section 2906. The common area facilities are located approximately 250' from the tenant space and are available at all times the tenant space is open for business. The hardship is the space that would be taken up by 2 rest rooms displaces needed seating.
- C (b) *The variance request is for reimbursement of the Plan Review expedite fee of \$5,000.00, for which the service was not provided.* The proponent advises that the project was filed on 12/21/12 and the design release was granted on 1/10/13, only after showing 2 rest room facilities within the tenant space. The proponent advises that the

\$5,000.00 fee was paid to expedite the release of the project and therefore allow construction to commence and ultimately allow for the opening of the tenant space as soon as possible. The service provided by the agency did not further this objective, and therefore presents a significant hardship. There is no explanation as to if the entire information was available to plan review or if they had to wait for explanation.

13-02-53

BI

**Hoosier Energy Headquarters – Bloomington**

*The means of egress stairs connecting more than 2 floor levels (the 3 and 4 levels actual) will not be enclosed with fire resistive construction.* The current IBC permits open egress stairs only when connecting the 1<sup>st</sup> and 2<sup>nd</sup> floors. The building is 4 stories in height and classified as primarily a “B” Occupancy, with a main level boardroom classified as an “A-3” Occupancy. The building will be of Type IIB Construction. The proponent advises the stair design will comply with the 2012 IBC, Section 1009. The building will be protected throughout with an automatic sprinkler system per NFPA 13. The floor opening in each case will be provided with a bulkhead a minimum of 18” in depth with a sprinkler water curtain along the bulkhead designed per Sec. 7-9.7 in NFPA 13. The water curtain will be designed to deliver a discharge rate of 3 gpm per lineal foot. The hardship is the open egress stairs are desired to enhance pedestrian circulation between floors.

13-02-54

AI

**St. Jude School Addition and Remodel – South Bend**

*The request is to permit the proposed elevator addition of approximately 225 sq. ft. per floor, a 2 story structure, without complying with the IBC Chapter 5 for allowable area limits and Chapter 9 for fire area limits.* The proposed elevator addition will be added to a building that already exceeds allowable area per the current code for Type VB Construction and exceeds the fire area permitted of 12,000 sq. ft. for a nonsprinklered A-3 Occupancy and for a nonsprinklered E Occupancy of 20,000 sq. ft. The proponent advises that the elevator will be used to provide accessibility between 2 different floor elevations on the 1<sup>st</sup> floor and the lower level. The building is a combination of an A-3 church and E school occupancies. The building is a mix of construction types with masonry exterior wall construction and wood interior elements for the 2 level portion and wood frame for the 1 story classroom wing. The functions on the lower level are school cafeteria, kitchen and classrooms, with classrooms and worship facility on the 1<sup>st</sup> floor. The hoistway will be enclosed with a 2 hour shaft. The remainder of the addition will elevator lobbies on each floor for pedestrian access with no additional fire load or hazard to the existing building. The hardship is the cost to bring the building into compliance with the current IBC requirements.

13-02-55(a)(b)(e)

CI

**Lilly C45A Elevator Addition – Clinton**

*(a) The elevator addition plus the existing building will exceed the allowable height for Type IIIB Construction.* The existing building is classified as an H-3 Occupancy based on the use of flammable liquids in the process equipment. The project involves the installation of an elevator and associated vestibule to reach 3 of the upper open equipment platforms within the structure and also the roof level. The project will include some minimal increase in the equipment platform level areas to access the elevator. The building was constructed in 1990/91 with a ground floor of approximately 7,200 sq. ft. of

area and includes upper levels consisting of a 2<sup>nd</sup> level electrical room, 4 platform levels of varying sizes, a small enclosed roof level penthouse structure, and a number of open air equipment access platforms above the roof level. The proponent advises that the previous variance permitted the existing structure to exceed allowable height and not be fire rated construction. The building is protected throughout with automatic sprinklers and an automatic sprinkler system will be provided in the new construction with the exception of the elevator hoistway and machine room and these areas will be separated with a 2 hour enclosure. The hardship is the construction of a structurally stable fire wall 80+ feet in height to separate the addition.

- CI (b) *The request is to permit the classification of the levels as "equipment platforms" rather than stories per the IBC.* The levels qualify as equipment platforms per the definition in Sec. 502.1 of the IBC however, they will not comply with the area limit of 2/3 of the area of the room in which they will be constructed. The existing building is classified as an H-3 Occupancy based on the use of flammable liquids in the process equipment. The proponent advises that the platform area is solely for worker access to and from the elevator and does not include additional equipment or any increase in the hazard of the building. The building is not open to the public and only authorized Lilly employees. The building is protected throughout with automatic sprinklers and there will be automatic sprinkler protection under the platforms as required. An enclosed egress stair is provided accessing the upper level equipment platforms. The hardship is that the classification of the platform levels as stories per the IBC would render the project economically and functionally not viable due to the requirement for fire separation between levels and construction of an additional egress stair.

- CI ~~(c) *The MRL elevator traction motor will be located in the hoistway in lieu of a machine space over the hoistway and this is not permitted per the currently adopted elevator code.* The existing building is classified as an H-3 Occupancy based on the use of flammable liquids in the process equipment. The project involves the installation of an elevator and associated vestibule to reach 3 of the upper open equipment platforms within the structure and also the roof level. The project will include some minimal increase in the equipment platform level areas to access the elevator. The proponent advises that the proposed design complies with the 2010 ASME A17.1, Safety Code for Elevators and Escalators. The hardship is the design intent is to utilize the most current technology for the elevator. Defer to Commissioner Corey. Withdrawn by Proponent 1-22-13~~

- 13-02-56 A **340 – 346 South Grant St. – Bloomington – Windows**  
*The emergency egress windows do not meet the code of record for size. The windows have a height of 23 ½" and the code requires a minimum of 24" and they are .24" smaller than the required 5.7 sq. ft. in area.*
- 13-02-57 C **Calvary Baptist Church – Leesburg – Ramp**  
*The proposed ramp will be constructed with a 1 in 9 pitch rather than the code compliant 1 in 12. The proponent advises that the ramp would be 77" wide and start 44" from the sanctuary door and extend 197", to the entrance doors of the church. They will provide railings on both sides and in the center if needed. The hardship is the space is not available to comply with the code.*

13-02-58

CI **Perry County Memorial Hospital – Replacement Facility – Tell City**

Project #348436

*The original construction design release was issued on 11/23/10 and the financing did not come through as hoped and the project was not started and now the proponent wishes to have the CDR reinstated as before so they can go ahead with the project as previously submitted. The proponent does not wish to redo everything to today's code but continue as previously designed. The design is essentially the same except that they had 2 operating rooms and 1 alternative and they now wish to have all 3 operating rooms without the alternative one. The plans have been reviewed by the USDA and ISDH. There is no hardship listed.*

13-02-59

CI **INDOT Fort Wayne Administration Building – Fort Wayne**

*The code required 9.5 mm diameter steel suspension cables will not be used and will instead will be provided with elastometric coated steel suspension constructed of six 2.5 mm steel cables and for the governor a 6 mm suspension member will be used. There have been similar variances approved by the Commission, with the information presented by Mr. Vincent Robibero on behalf of Schindler back in 2010. We have been awaiting the information in writing about these belts and have just received it this month. The information in reference document is for the use of 12 or more steel cords and the variances that have been approved for the use of 6 steel cords. Is this the way the Commission understood the information that was presented and do they still wish these to be in an A or B category?*

